

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT *of* NEW YORK

cm/ECF

[Case Management / Electronic Case Filing]

User's Guide

[Our Website: <http://www.nyed.uscourts.gov>;
click the **cm/ECF button** located on the left-hand side of this screen]

Honorable Edward R. Korman
Chief, United States District Judge

Robert C. Heinemann
Clerk of Court

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Introduction

This Manual provides a general guide on how to use New York Eastern's electronic database. Registration instructions are included.

The Eastern District of New York has an electronic database of cases. All filings, either by counsel or by the Court, are done electronically via the Internet. Paper documents will be filed only rarely. Notice of filing is made electronically, or by e-mail. Electronic Filing Procedures are available on our Website. Once an attorney registers for ECF in a particular case, the Court maintains a record of the attorney's e-mail address, and may use that address to notify the attorney of court events in other cases. Accordingly, even if a particular case has not been formally entered into the ECF system, yet counsel has previously registered for ECF in other cases, counsel should be aware that they may receive notification from the Court of court events or conferences by e-mail, and that the Court will expect counsel to respond to notifications sent to their e-mail addresses on file with the court. Our Website: <http://www.nyed.uscourts.gov>.

All documents must be filed electronically

For *all civil actions* filed in Brooklyn that are assigned to Judges Frederic **Block**, Raymond J. **Dearie**, Nicholas G. **Garaufis**, John **Gleeson**, Sterling **Johnson**, Charles P. **Sifton**, David G. **Trager** and Jack B. **Weinstein**; and, for all civil actions filed in Central Islip that are assigned to Judges Denis R. **Hurley**, Joanna **Seybert** and Leonard D. **Wexler**, ALL documents must be filed electronically. Objections to this requirement may be made in writing, and must be filed with the Court as soon as possible.

Courtesy copies of *all* electronic filings shall be submitted to the judicial officer *in hard copy*, and be *so labeled*, except for civil cases assigned to Judge Charles P. Sifton, who requires no courtesy copies.

All documents addressed to a Magistrate Judge are to be filed electronically with a courtesy copy forwarded to chambers.

Counsel wanting to file documents electronically but the case is assigned to a judicial officer not participating in ECF, a **Consent To Electronic Filing Procedures** form may be completed and submitted to the judicial officer. This form is attached at the end of this Guide.

All you need *to file* electronically are the following:

1. Adobe Acrobat Exchange - for converting documents to a PDF format.
[To obtain contact any retail computer software vendor.]
2. Netscape Navigator version 4.5 or later, Mozilla 1.2 or later, or Internet Explorer 5.5sp2 or later.
3. An Internet connection.
4. ECF Registration Form can be found on our website. Registration should be done as soon as possible.

All you need *to view* online docket sheets or *to view* electronically filed documents are the following:

1. An Internet connection.
2. Adobe Acrobat Reader (free download from www.adobe.com) to view electronically filed documents.
3. Netscape Navigator version 4.5 or later, Mozilla 1.2 or later, or Internet Explorer 5.5sp2 or later.
4. A PACERNet account. (A Pacer Account is needed *to view* docket sheets or electronically filed documents (call 1-800-676-6856 to register) <http://pacer.psc.uscourts.gov>)

Registering for Access

Return your completed ECF registration form by mail, fax or e'mail to one of the following staff members:

For Brooklyn Judges:

Mr. Marc Brown
Assistant Administrative Manager
225 Cadman Plaza East, Room 130
Brooklyn, New York 11201
Telephone No.: (718) 260-2280
Fax: (718) 260-2264
E'mail: Marc_V_Brown@nyed.uscourts.gov

For Central Islip Judges:

Ms. Cinthia Mahon
Operations Supervisor
United States Federal Courthouse
100 Federal Plaza
Central Islip, New York 11722-4438
Telephone No.: (631) 712-6011
Fax: (631) 712-6028
E'mail:
Cinthia_Mahon@nyed.uscourts.gov

Once your ECF Registration Form is processed you will be issued a log-in/user name and password for our ECF Live Database, and a log-in/user name and password for our Training Database. You will receive this notification by e'mail. Counsel are encouraged to include their firm's e'mail address, as well as their personal e'mail address, to ensure notification of any case activity. **Your password is your electronic signature.** Every attorney needs their own login and password. Each login and password is case sensitive. Keep your login and password in a secure place. If compromised, contact the Court immediately and a new password will be issued. If you have forgotten your login or password, call (718) 260-2280 or send an e'mail to Terry_Vaughn@nyed.uscourts.gov.

An ECF Registration form is attached to this Guide and also through the following hyperlink.

It is the responsibility of counsel to notify the Clerk's Office of **any** change of address. Changes may be mailed to the Clerk's Office, or e'mailed to Terry_Vaughn@nyed.uscourts.gov.

Login Screen

Go to our web site, <http://www.nyed.uscourts.gov>, then the live electronic filing area (click on the cm/ECF button on the left side), you will see a login screen. **There is only one login screen. You have two options.**

1. When entering the **login and password the Court has given you**, the computer will know that you want **to file** a document electronically.
2. When entering **your firm's Pacer login and password** the computer will know that you **want to** either **view** a docket sheet or view an electronically filed document. To obtain a Pacer login and password contact the PACER Service Center at 1-800-676-6856 or (210) 301-6440, or online at <http://pacer.psc.uscourts.gov>.

Training

Training is offered free of charge at both the Brooklyn courthouse and the Central Islip courthouse. To schedule training in Brooklyn call (718) 260-2610. To schedule training in Central Islip call (631) 712-6011. Two **CLE credits** are offered to counsel upon completion of this training.

Computer Based Training, CBT's, is offered by logging on to our website <http://www.nyed.uscourts.gov>, clicking on the cm/ECF button, and then in the Training paragraph, click on CBT Training.

When you register for electronic filing you will be sent a login and password for our Live Database and for our Training Database. The Training Database contains *a few sample cases* that will allow you to practice filing documents. To see the listing of cases in our Training Database, click on Reports; then, under Civil Reports, click on Civil Cases; and Run Report.

In addition, the website <http://pacer.psc.uscourts.gov/ecfcbt/dc/> has a host of cm/ECF information, including self-paced online training materials for attorneys.

Adobe Acrobat

Only documents in PDF format may be filed electronically. To view these documents users must install a PDF Reader. The PDF Reader is free of charge. When installing this product, review and follow the provider's directions.

To convert documents into PDF format you need to purchase the Adobe Acrobat Writer. To obtain the Writer please call (888) 833-6687. The conversion process is relatively simple and can be accomplished in one of two ways, depending on the word processing program you are using.

1. For WordPerfect:

Version 6.1, 7 and 8

- Open the document to be converted.
- Select the Print option and in the dialog box select the option to change the selected printer. A drop down menu with a list of printer choices is displayed.
- *Select your PDF Writer.*
- Print the file. The file will not print out, instead the option to save the file in PDF format appears.
- Name the file.
- Accept the option and a PDF version of your WordPerfect document is made.

Version 9

Use above method, or open the document.

- *Click on the File menu and Select your PDF Writer.*
- Save the file as a PDF document.
- The file is now in PDF format under the newly designated name. The original document remains in its original WordPerfect form under its original name.

2. For Microsoft Word 95 or later:

- Open the document.
- *Click on the File* menu and select, *Create PDF*.
- Save the file as a PDF file.
- The file is now in PDF format under the newly designated name, and the original document remains in its original form under the original name.

Other word processing programs:

- Open the document to be converted.
- *Select the Print* option and in the dialog box select the option to change the selected printer. A drop down menu with a list of printer choices is displayed.
- *Select PDF Writer*.
- Print the file. The file should not print out, instead the option to save the file in PDF format appears.
- Name and save the file.

[Depending on the word processing program being used, it may be necessary to find the printer selection option elsewhere. At that point, change the printer to PDF Writer, and follow the directions above.]

**RECOMMENDATIONS (HINTS) FROM PRELIMINARY ADOBE VERSION
6.0 and CM/ECF COMPATIBILITY TESTS**

PREPARING THE DOCUMENT:

1. Reminder: do not use the PDF Creator that is a part of the Corel Suite.

2. Set Adobe PDF Writer as the default printer BEFORE opening the WordPerfect document.

3. Before printing, perform a "File --> Save As" and save the document as a normal WordPerfect document. This cleans the document and gets rid of any embedded code that might be lingering due to editing, but that is not visible in the actual document.

4. Minimize the number of different fonts used in the document. We suggest you set the default font to Courier (NOT Courier New or Times New Roman or any other TrueType font). So far, tests have shown that using True Type fonts drastically increases the size of the document. Set the default font by going to "File --> Document --> Default Font."

5. The CM/ECF Project Team recommends a 200x200 dpi resolution. A higher resolution appears to dramatically increase the file size. Because Adobe Acrobat is often used for publishing, some of the standard settings have a 1200x1200 resolution.

6. When you print the document, click on the "Details" tab in the "Print" window, change the "Resolution" to "200x200," then un-check the following check boxes (if they were checked when you entered the window): "Print in color" and "Print text only." Note: this hint does not apply to WordPerfect 10 users who do not have the "Details" tab. Don't worry, our initial tests have shown that WordPerfect 10 creates MUCH smaller PDF files than WordPerfect 9.

IN ADOBE ACROBAT 6:

1. To do the following from Adobe Acrobat 6.0, go into: Advanced --> Acrobat Distiller

2. From Acrobat Distiller, set the following: Default Settings: Smallest File Size

3. Changing the compatibility to Acrobat versions 4.0, 5.0, or 6.0 had no effect on the size of the saved file. In order to ensure the document is viewable in Acrobat 4.0, set the compatibility to Acrobat 4.0 (PDF 1.3). To change the compatibility, set the following from Acrobat Distiller: Settings --> Edit Adobe PDF Settings --> General --> Compatibility --> Acrobat 4.0 (PDF 1.3) [select this]

4. Embedding fonts is recommended so the PDF document is the same or very similar to the original WordPerfect document. Indications from our preliminary tests with the Courier font are that embedding fonts does not affect file size; however, the jury is still out on this. To enable font embedding, set the following from within Acrobat Distiller: Settings --> Edit Adobe PDF Settings --> Fonts --> Embed all fonts (check the check box)

Again, Adobe Acrobat Version 6.0 is compatible with the CM/ECF software....and as noted throughout this announcement, we are continuing to test how to best use Acrobat 6.0. We will provide more details and further clarification on the "hints" provided above within the upcoming weeks.

IMPACT ON SYSTEM PERFORMANCE: Text documents are much smaller than imaged documents. For a typical document, its PDF text version would be only 20% of the size of its imaged version. Therefore, whenever an imaged document is stored or viewed, it puts five to ten times more load on the network than it would as a text document. It also can take five to ten times as long to transfer.

How To File Documents Electronically

Once your document is in PDF format, click on Civil, then click on the Civil Event that best describes the document you are filing. A list of civil attorney events are listed at the web site http://www.nyed.uscourts.gov/CM_ECF/cvatyevents.pdf. You will be guided through your filing by a series of prompts, including a prompt for your case number. There may be drop boxes or free text boxes for the option of further describing the document being filed. Filing a document with supporting, or opposition documents, may be made with one electronic filing *with attachments*. See the Training Section for further assistance.

Frequently Asked Questions

Linking Counsel to a Party: During the first electronic filing an attorney makes after receiving a login and password, ECF may note that it does not have a link between the filing attorney and the filing party. ECF will, at this point, allow counsel to make the link. Making a link between counsel and a party to a case will add counsel's name and address to the front of the docket sheet.

When electronically filing **documents that add new parties** to a case, such as an amended complaint, you will receive a prompt when to add them. For the present, if you need a summons to serve the new party, you will need to come to the Clerk's Office in Brooklyn or in Central Islip.

Fees need to be paid in person.

Notices of Appeal may be filed online, but the **filing fee** needs to be paid in person.

Upon completion of an electronic filing the last screen you see is a **Notice Of Electronic Filing screen**. This screen will tell you, among other things, the document number assigned to your document; will contain your electronic file stamp; and, at the bottom of the page, will notify you that a notice will be, or will not be, electronically mailed to counsel. If a notice **will not** be electronically mailed to counsel you are required to **mail a hard copy** of the document you are filing to said party.

Exhibits that are not in your computer and for some reason cannot be scanned, may be filed in hard copy. Attached to this Guide is a sample form that may be attached to the document you are filing, or may be filed separately. This form will advise the court and parties that such exhibits are **being filed in paper form**.

Documents in excess of 100 pages should be broken down into 100 page documents then filed electronically. For example a 300 page brief should be filed as Brief - Pages 1-100; the first attachment would be Brief - Pages 101-200; and the last attachment would be Brief - Pages 201-300. The current limit for a PDF to be uploaded is 4 megabytes. If your document exceeds that size, you are presented with this message: "You cannot load this file, it is over 5.0MB. To continue, divide the document into separate parts."

Sealed / sensitive documents should be filed in hard copy. These documents should be presented for filing in a sealed envelope and should be properly labeled. These envelopes should also contain the words *Sealed Document*.

Document numbers on docket sheets that are underlined and clickable are hyperlinked to the document, and the document will appear in total when double clicked. If not, then the document has been filed in hardcopy and you will *not* be able to open and view the document.

Motion filing. For judges requiring motions to be fully briefed before filing, it will be the movants responsibility to electronically file all documents, including their adversary's document. This may be done in one electronic filing. File the motion electronically with the supporting and opposing documents as attachments.

Filing affidavits for individuals who are not counsel of record. These affidavits may either be scanned and electronically filed, or counsel of record may file their own affidavit stating that said individual's original affidavit will be kept in their file should the Court or counsel wish to see it.

Logging Out

To exit ECF/Pacer click on the Logout Button, which is on the blue or green tool bar located near the top right of your screen. Failure to do so will result in error messages the next time you try to login.

Contacts

- | | | |
|----|--|--|
| 1. | Technical Help Desk | (718) 260-2290 |
| 2. | Questions regarding ECF Registration | (718) 260-2280 |
| 3. | Questions regarding filing, or (free) training | (718) 260-2610 or -2330
in Brooklyn, or
(631) 712-6011 in Central
Islip |

United States District Court
Eastern District of New York

ECF
Registration - Page 1
[Please type]

Person Information:

Last Name:	Generation (i.e. Jr., Sr., II, III):
First Name:	Middle Name:
Title (i.e. attorney):	Date of Birth:
Last Four Digits of your Social Security Number:	
Are you admitted to the bar of the EDNY and, if so, are you a member in good standing? _____ Yes _____ No	
Date admitted: _____	

Office Information:

Office:		
Address 1:		
Address 2:		
Address 3:		
City:	State:	Zip Code:
County:	Country:	Telephone No: ()

User Information:

Law Firm E'mail Address:
Individual E'mail Address:
Telephone Number: ()
Fax: ()

**United States District Court
Eastern District of New York**
ECF Registration - Page 2

By submitting this form the undersigned agrees to abide by the following rules:

1. This System is for those cases designated by the Court for electronic filing. It may be used to file and view electronic documents and docket sheets.
2. Documents must be submitted electronically *only* in **Portable Document Format (PDF)**.
3. The combination of user identification and password will serve as the signature of the attorney/participant filing the document. Individuals must protect the security of their passwords and immediately notify the Court if they suspect that their password has been compromised.

Applicant's Signature

Dated:_____

Return your completed form by mail, fax or e'mail to:

For Brooklyn Judges:

Mr. Marc Brown
Assistant Administrative Manager
225 Cadman Plaza East, Room 130
Brooklyn, New York 11201
Telephone No.: (718) 260-2280
Fax: (718) 260-2264
E'mail: Marc_Brown@nyed.uscourts.gov

For Central Islip Judges:

Ms. Cinthia Mahon
Operations Supervisor
United States Federal Courthouse
100 Federal Plaza
Central Islip, New York 11722-4438
Telephone No.: (631) 712-6011
Fax: (631) 712-6028
E'mail:
Cinthia_Mahon@nyed.uscourts.gov

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Civil Action No.

Judge

-----X

Consent To Electronic Filing Procedures

The undersigned hereby consents to the use of the electronic filing procedures adopted by the Eastern District of New York in Administrative Order No. 97-12, *In re Electronic Filing Procedures, (EFP)*.

Dated:

Signature

Counsel for:_____

Typed Name

Firm Name

Address

Address (Room/Suite No.)

City, State & Zip Code

Telephone No.

E'mail Address

Approved this ____ day of _____, 200_.

Honorable

Sample Format

Certificate of Service

I hereby certify that on _____ the foregoing document was filed with the Clerk of
(Date)
the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the
Eastern District's Local Rules, and/or the Eastern District's Rules On Electronic Service upon the
following parties and participants: _____.

S/_____

SAMPLE FORM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Vs.

Civil Action No.

Judge

-----X

Notice Regarding the Filing of Exhibits in Paper Form

Exhibits, labeled/numbered_____, in support of

_____ are being filed in hard copy and will be maintained in the
case file in the Clerk's Office.

Counsel's Name, Address,
Telephone Number and
E'mail Address

Date: